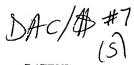
tioner's Docket No. 2605/102



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Toshio Miyata

Application No.: 10/009,877

International Filing Date: 11 May 2000

For: Blood Carbonyl Compound-Trapping Agent

Group No.: 1614

Examiner: Not Assigned

**Commissioner for Patents** Washington, D.C. 20231

## REQUEST THAT ERRONEOUS ESTABLISHMENT OF STATUS AS SMALL ENTITY BE EXCUSED (37 C.F.R. § 1.28(c))

## FILING OF SMALL ENTITY STATEMENT

- On November 13, 2001, a small entity assertion was filed in this application. 1.
- 2. On October 25, 2002, applicant has now discovered that such status as a small entity was, in good faith, established in error.
- Applicant hereby notifies the Office that it is not entitled to status as a small entity. 3.
- A \$487.00 fee has been paid by the applicant in this application as a small entity. 4.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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	[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231			
	37 C.F.R. § 1.8(a) [x] with sufficient postage as first class mail.	37 C.F.R. 8 1.10*	20231	
	[A] with sufficient postage as first class mail.	☐ as "Express Mail Post Office to Addressee"		
	date: 12/12/2003 AKELLEY	Mailing Label No.	_(man	datory)
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transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to ent calculation, although the date on any certificate of malling or 🕏 Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment

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Request that Erroneous Establishment of Status As Small Entity Be Excused Epa

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487.00 DP

- 5. Applicant submits a check in the amount of \$487.00 to cover the filing fees for a large entity.
- 6. Please charge deposit account no. 19-4972 for any additional fees due for this matter.

Date: November 12, 2002

'n

Morton Chirnomas Registration No. 34,465 Bromberg & Sunstein LLP 125 Summer Street Boston, MA 02110-1618 US 617-443-9292 Customer No. 002101